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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/756,852

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EXAMINER

WONG, ALLEN C

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/756,852	<b>Applicant(s)</b> THORNHILL, WILLIAM	
	<b>Examiner</b> Allen Wong	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 January 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/3/04</u> . | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-4, 7-9 and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hatae (6,466,260) in view of Trajkovic (6,442,474).

Regarding claim 1, Hatae discloses a method of conducting traffic surveillance studies, comprising:

recording video images at a predetermined location for a predetermined length of time (col.17, ln.24-26, fig.22, elements 3N, 3S, 3W and 3E capture video images at the intersection);

converting the images on a medium for easier viewing of the images (fig.22, element 52 converts the images onto a medium); and

reviewing the images on the medium (fig.22, note element 52 is a video tape recorder that can record images for review).

Hatae does not specifically disclose sending the medium to a foreign country where labor is less expensive than in the country where the images were taken; and providing a computer program for viewing the images in the foreign country. However, it would have been obvious to one of ordinary skill in the art to use Hatae's teaching of recording video data onto the medium and conveniently send the image data recorded

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onto the medium (ie. video tape) by the VTR (video tape recorder) to a foreign country or to any other location as desired by the user so as to inform other people of the recorded events that indicate traffic violations as obtained by the cameras. Also, it would have been obvious to one of ordinary skill in the art to provide a computer program for viewing the image data at the foreign country or any other location as desired by the user so as to view and analyze the video image data taken by the cameras during elaborate image analysis of the video data recorded onto the medium for checking for abnormalities, reaffirming and verifying the events of the traffic violation.

Hatae does not specifically disclose the limitations of providing at least one event line in association with the images to be displayed on a monitor to facilitate accurate viewing of the images, wherein an event line is adapted to be provided for each direction of vehicle traffic lane through the predetermined location; and indicating when a vehicle crosses an event line that a recordable event has occurred. However, Trajkovic teaches providing at least one event line in association with the images to be displayed on a monitor to facilitate accurate viewing of the images (fig.1, element 300 stores the traffic event database with a listing of potential traffic event violations that can be associated with the images taken by video cameras 150-1 to 150-N of the roadway 200), wherein an event line is adapted to be provided for each direction of vehicle traffic lane through the predetermined location (fig.1, element 400 is a traffic violation detection process, and in fig.2, elements 220-1, 220-2 and 220-N are the various event lines that can be adapted for each direction of the vehicle traffic lane

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monitored at the road's intersection) and indicating when a vehicle crosses an event line that a recordable event has occurred (fig.1, element 500 and fig.5 shows the process of indicating the steps of checking through video content analysis, and at element 540, after the image analysis, if the vehicle meets the condition of one of many traffic violations, then the recorded event has occurred). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Hatae and Trajkovic as a whole for identifying traffic events and violation so as to process sending the traffic perpetrators issuances of summons and properly deliver definitive, swift punishment (Trajkovic col.2, ln.22-27).

Regarding claims 2 and 7-9, Hatae discloses the predetermined location for monitoring is at the intersection (see fig.23-26).

Regarding claim 3, Hatae discloses wherein the predetermined length of time is between 1 and 24 hours (col.26, ln.8-20).

Regarding claims 4 and 16, Hatae discloses wherein the medium onto which the recorded video image is originally stored is a videotape, hard disk, or optical storage media such as a DVD (fig.22, note element 52 is a video tape recorder that can record images for review).

Regarding claim 11, Hatae does not specifically disclose wherein the program is provided so that whenever a recordable event is indicated, the computer provides a predetermined visual and/or audio signal to indicate when the recordable event has occurred. However, Trajkovic discloses wherein the program is provided so that whenever a recordable event is indicated, the computer provides a predetermined

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visual and/or audio signal to indicate when the recordable event has occurred (fig.1, element 500 and fig.5 shows the process of indicating the steps of checking through video content analysis, and at element 540, after the image analysis, if the vehicle meets the condition of one of many traffic violations, then the recorded event has occurred). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Hatae and Trajkovic as a whole for identifying traffic events and violation so as to process sending the traffic perpetrators issuances of summons and tickets, and properly deliver definitive, swift punishment (Trajkovic col.2, ln.22-27).

Regarding claims 12-13, Hatae does not specifically disclose wherein the program allows for different keys to be pressed depending on what type of recordable event has occurred in the predetermined location, wherein the type of recordable event that has occurred can be indicated by pressing a key or sequence of keys that corresponds to the type of road user (that is, a vehicle or pedestrian) and/or type of movement and/or the location of that movement within the intersection or road link being studied that resulted in the recordable event being indicated. However, Trajkovic discloses a traffic monitoring system can be adjusted by the user (fig.1, element 1 and 3, the conditions for traffic violations can be adjusted). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Hatae and Trajkovic as a whole for identifying traffic events and violation so as to process sending the traffic perpetrators issuances of summons and tickets, and properly deliver definitive, swift punishment (Trajkovic col.2, ln.22-27).

Regarding claim 14, Hatae discloses the camera has a weatherproof housing (fig.22, elements 3N, 3S, 3W and 3E are protected by a cover).

Regarding claim 15, Hatae discloses the camera is on a pole (fig.23, element 4 is a pole that holds the camera 2).

Regarding claim 17, Hatae discloses wherein the step of recording the images records the actual time during which the images are recorded, and wherein the program allows for the exact time that each recordable event is indicated to be synchronized with the actual time that the recordable event occurred, along with the video frame number on which the recordable event was recorded (fig.39, element 511 is a display showing the date and time of the recorded event).

Claim 5, 6 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hatae (6,466,260) and Trajkovic (6,442,474) in view of DaGraca (6,646,676).

Regarding claims 5 and 10, Hatae and Trajkovic does not specifically disclose the use of storing image data onto harddisk or optical storage device. However, it would have been obvious to one of ordinary skill in the art to record image data to any convenient means capable of being carried for long distance delivery or travel so as to provide recorded image anywhere in the world as desired or needed. DeGraca teaches that image data can be recorded DVD or HDD (col.4, ln.64-65).

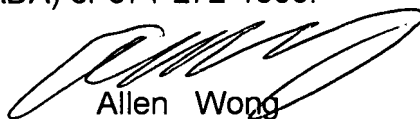
Regarding claim 6, it would have been obvious to one of ordinary skill in the art to transmit the stored compressed video files are transmitted to the foreign country by express courier or by electronic data transmission over a public or private network for conveniently delivering image data to any location in the world as desired or needed.

**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen Wong whose telephone number is (571) 272-7341. The examiner can normally be reached on Mondays to Thursdays from 8am-6pm Flextime.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Allen Wong  
Primary Examiner  
Art Unit 2621

AW  
9/10/07